

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Court  
Southern District of Texas  
FILED

JUL 27 2014

David J. Bradley, Clerk of Court

United States of America

v.

OSORIO GARCIA, Maria Guadalupe (27)  
Aldea Corralitos, Casillas, Santa Rosa, Guatemala

Case No.

C-14-822m

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 07/26/2014 in the county of Brooks in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

18 USC 1543

whoever knowingly and willfully uses or attempts to use, any false, forged, altered or mutilated passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same

18 USC 1546

whomever knowingly and willfully uses or attempts to use, or possesses, obtains, accepts or receives any visa, knowing it to be forged, counterfeited, altered, or falsely made, or otherwise fraudulently obtained

This criminal complaint is based on these facts:

Maria Guadalupe OSORIO GARCIA did knowingly and willfully present a counterfeit U.S. visa contained in a Guatemalan passport to Border Patrol Agent Francisco Martinez at the U.S. Border Patrol Checkpoint near Falfurrias, TX on July 26, 2014. OSORIO GARCIA later admitted to having obtained both the visa and passport outside of the normal, legal process of procurement. Records checks indicate that the visa number is not a valid U.S. visa.

☐ Continued on the attached sheet.


Complainant's signature

Brian T. Evans, Special Agent - U.S. Dept. of State

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/27/2014City and state: Corpus Christi, TX


Judge's signature

Hon. Jason B. Libby, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT FOR**

Maria Guadalupe OSORIO GARCIA  
DPOB: December 12, 1986; Guatemala

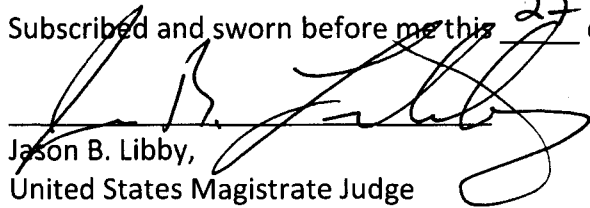
1. I, Brian T. Evans, being duly sworn, do hereby depose and state that I am a Special Agent (SA) of the US Department of State, Diplomatic Security Service (DSS), currently assigned to the Houston Field Office, Houston, Texas. My duties include conducting criminal investigations involving the use of counterfeit passports, visas and other fraudulent identity documents. The information in this Affidavit is based on my personal knowledge of this case and upon information provided to me by other government agencies. Through the course of my investigation, I have obtained probable cause to believe that Maria Guadalupe OSORIO GARCIA used a counterfeit and/or altered Republic of Guatemala passport and a counterfeit and/or altered US non-immigrant visa, in violation of Title 18 United States Code, Sections 1546 and 1543.
2. This Affidavit is for the purpose of securing probable cause. It is not intended to include each and every fact or matter observed by me or known to the government.
3. On July 26, 2014, Maria Guadalupe OSORIO RIVERA, a citizen of the Republic of Guatemala, presented a counterfeit and/or altered Republic of Guatemala passport containing a counterfeit and/or altered US non-immigrant visa at the Falfurrias, TX US-281 Border Patrol inland checkpoint during an inspection by US Border Patrol (USBP) agents.
4. On July 26, 2014, SA Dylan Degnan and I interviewed OSORIO GARCIA at the Falfurrias, TX US-281 Border Patrol inland checkpoint. During this interview, OSORIO GARCIA confessed to having knowingly received at Passport of the Republic of Guatemala and U.S. Visa outside of the legal and appropriate processes. She further stated that the reason she avoided securing the passport and visa legitimately was because it was too expensive. A search of U.S. State Department databases revealed that the visa control number associated with the visa was invalid. The search further revealed no previous visa applications or issuances under the name and date of birth provided.
5. Based on all the above information, there is probable cause to believe that Maria Guadalupe OSORIO GARCIA has violated Title 18 United States Code, Section 1546, "Fraud

and misuse of visas, permits, and other documents” in that she unlawfully and knowingly possessed and attempted to use a counterfeit and/or altered visa as evidence of authorized stay in the United States. There is also probable cause to believe that Maria Guadalupe OSORIO GARCIA has violated Title 18 United States Code, Section 1543, “Forgery or false use of passport” in that she willfully and knowingly used, or attempted to use, a false, forged, counterfeited, mutilated, or altered passport. This belief is based on statements by Maria Guadalupe OSORIO GARCIA and examination of the passport and visa she possessed and attempted to use.



Brian T. Evans, Special Agent  
United States Department of State  
Diplomatic Security Service

Subscribed and sworn before me this 27 day of July 2014



Jason B. Libby,  
United States Magistrate Judge